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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD NOWASKI, an individual and
AMY E. NOWASKI, an individual,

Plaintiff,

vs.

FCA US LLC, a Delaware Limited Liability
Company, and DOES 1 through 10, inclusive,

Defendants.

Case No.: 2:20-cv-01644-MCE-JDP

(Removed from Yolo County Superior Court,
Case No. CV20-926)

**AMENDED STIPULATION AND ORDER
TO CONTINUE FACT AND EXPERT
DISCOVERY DEADLINES**

Plaintiffs RICHARD NOWASKI, and AMY E. NOWASKI “Plaintiffs”), and
Defendant FCA US LLC (collectively, the “Parties”), by and through their respective counsel of
record, hereby respectfully apply to this Court for an Order continuing the date for the Parties to
complete fact and expert discovery and related dates.

WHEREAS, the Parties further met and conferred pursuant to FRCP Rule 26(f) on
August 19, 2021, to consider the nature and basis of the claims and defenses, the possibilities for
promptly settling or resolving the case, and discussing the status of discovery, and developing a
reasonable discovery plan with the goal of continuing settlement discussions;

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1 WHEREAS, pursuant to the Court's Initial Pretrial Scheduling Order, the date for
2 completion of all fact discovery by the Parties is currently August 20, 2021;

3 WHEREAS, the Parties' Initial Expert Witness Disclosures pursuant to FRCP Rule
4 26(a)(2) are currently due on October 19, 2021;

5 WHEREAS, the Parties' Rebuttal Expert Witness Disclosures are currently due on
6 November 18, 2021;

7 WHEREAS, the Parties are to currently file any dispositive motion within 180 days
8 after August 20, 2021;

9 WHEREAS, in light of the COVID-19 Pandemic and unavailability of witnesses for
10 depositions and experts for in-person vehicle inspections, the Parties have been cooperating but
11 have been unable to arrange for the depositions of each respective party and third party dealership
12 personnel, which are now currently scheduled for September 17, 2021 (Plaintiffs) and October 18,
13 2021 (FCA US), and a vehicle inspection, which remains to be scheduled;

14 WHEREAS, the Parties have mutually agreed that extending the completion date for
15 fact and expert discovery until a date sufficiently after these depositions and the vehicle inspection
16 has occurred will allow the Parties additional opportunities to discuss settlement and to avoid
17 potentially unnecessary litigation costs;

18 WHEREAS, no trial date has yet been set in the case;

19 NOW THEREFORE, the Parties agree and stipulate, subject to this Court's approval,
20 that: (1) the date for completion of all fact discovery by the Parties currently set for August 20,
21 2021 shall be extended for 90 days until November 18, 2021; (2) the date for the Parties' Initial
22 Expert Witness Disclosures pursuant to FRCP Rule 26(a)(2) currently due on October 19, 2021
23 shall be extended to January 17, 2022; (3) the date for the Parties' Rebuttal Expert Witness
24 Disclosures currently due on November 18, 2021 shall be extended to February 16, 2022; and,
25 (4) the date for the Parties to file any dispositive motions currently due within 180 days after
26 August 20, 2021 shall be extended to 180 days after November 18, 2021.

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1 **IT IS SO STIPULATED.**

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3 **DATED:** September 14, 2021

UNIVERSAL & SHANNON, LLP

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JON D. UNIVERSAL, ESQ.
JAMES P. MAYO, ESQ.
Attorneys for Defendant **FCA US LLC**

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9 **DATED:** September 14, 2021

**CALIFORNIA CONSUMER ATTORNEYS,
P.C.**

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SEPEHR DAGHIGHIAN, ESQ.
Attorneys for Plaintiffs **RICHARD NOWASKI,**
and **AMY E. NOWASKI**

12 **ORDER**

13 The Court, having considered the parties' Stipulation, and good cause appearing
14 therein, orders the scheduling deadlines in this case be modified as follows:

15 Fact Discovery Completion Deadline: November 18, 2021

16 Expert Disclosure: January 17, 2022


17 Rebuttal Expert Disclosure: February 16, 2022

18 Dispositive Motions: 180 days after November 18, 2021.

19 All other deadlines, including the dispositive motion filing deadline, remain as set
20 forth in the Court's Initial Pretrial Scheduling Order, issued on August 17, 2020.

21 **IT IS SO ORDERED.**

22 Dated: September 21, 2021

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MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE